

REMARKS

In the present Office Action, the Examiner acknowledges that claims 1 and 5 are allowed, but objects to the substitute specification filed on December 15, 2003 under 35 U.S.C. § 132, stating that “it introduces new matter into the disclosure...The added matter which is not supported by the original disclosure is as follows: Table 1, page 14; Table 2, page 17; Table III, page 24; Table IV, page 26; and Table 5, page 28 in the substitute specification” (see Office Action, p. 4). In response, Applicants request that pages 14, 17, 24, 26, and 28 of the substitute specification filed on December 15, 2003 be deleted. Therefore, this objection should be withdrawn.

The Examiner also objects to the priority data listed on page 1 of the instant application, which indicates that the instant application is a continuation of U.S. Serial No. 09/652,030. The Examiner states that because the substitute specification filed on December 15, 2003 includes tables 1-5, which were not present in the ‘030 application, the instant application is actually a continuation-in-part application and should be so noted in the priority data.

Applicants submit that the Examiner’s objection to the priority data in the instant application is moot in light of the present amendment to the specification, which deletes tables 1-5 on pages 14, 17, 24, 26, and 28, respectively, from the instant specification. Therefore, Applicants respectfully request that this objection be withdrawn.

Finally, the Examiner states that the instant application is a continuation-in-part application of U.S. Serial No. 09/653,030 because tables 1-5 on pages 14, 17, 24, 26, and 28 of the instant specification, respectively, were not present in the ‘030 application. Therefore, the Examiner requires the filing of a new declaration identifying the instant application by

application number and filing date in compliance with 37 C.F.R. § 1.67(a).

In response, Applicants submit that upon entry of the present amendment, the instant specification no longer contains subject matter that was not present in the '030 application. Therefore, the declaration filed on August 20, 2003 satisfies the requirements of 37 C.F.R. § 1.67(a), and the filing of a new declaration is unnecessary. Accordingly, Applicants respectfully request that this objection be withdrawn.

CONCLUSION

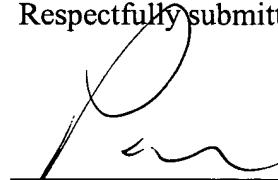
In light of the foregoing amendment and remarks, and the Examiner's allowance of claims 1 and 5 noted in the Office Action dated March 4, 2004, Applicants submit that all of the requirements for allowance of this application have been met. Accordingly, Applicants respectfully request notification to that effect and issuance of a Notice of Allowance.

Enclosed is a petition to extend the period for replying for one month, to and including June 3, 2004, and a check for the fee required under 37 C.F.R. § 1.17(a).

If there are any charges or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

Date: June 3, 2004

  
Paul T. Clark  
Reg. No. 30,162

Clark & Elbing LLP  
101 Federal Street  
Boston, MA 02110  
Telephone: 617-428-0200  
Facsimile: 617-428-7045